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BY ECF

The Honorable Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**RE: United States v. Jesus Alberto Brito Maldonado
21 Cr. 167 (LJL)**

REQUEST GRANTED.

January 18, 2022

The Motion Hearing previously scheduled for January 21, 2022 is canceled. Instead, a Change of Plea hearing will be held on January 21, 2022 at 10:00AM remotely by zoom video conference. Parties will be provided instructions on how to access the hearing. The public may access the hearing through the Court's audio only teleconference line by dialing 888-251-2909 and using access code 2123101.

1/18/2022

SO ORDERED.



LEWIS J. LIMAN
United States District Judge

Honorable Judge Liman:

I write in response to the Court's January 12 Order to request that the Court allow Mr. Brito's change of plea proceeding to be conducted remotely, pursuant to the CARES Act. I make this request in light of the ongoing COVID-19 pandemic and the inherent risks to the parties of conducting an in-person proceeding at this time.

The Government has extended a plea offer to Mr. Brito that would permit him to plead to a violation of 18 U.S.C. 2114. Mr. Brito is prepared to accept this plea offer, however, an in-person change of plea hearing at this time, in light of current COVID-19 conditions, would pose unnecessary risks to the health of the parties. New York City is in the midst of a winter surge in COVID-19 cases caused by the rapid spread of the Omicron Variant. The city faces high COVID infection rates and an increasing number of COVID-related deaths.¹ An indefinite delay of the plea, however, would unnecessarily waste judicial resources and prolong resolution of this case which has been pending since February 12, 2021.

For the reasons above, I submit that under the CARES Act, Mr. Brito's plea "cannot be further delayed without serious harm to the interest of justice." I respectfully request that the Court conduct the plea proceeding remotely by videoconference or teleconference.

Thank you for your consideration of this matter.

¹ NYC Department of Health, "COVID-19: Data," available at: <https://www1.nyc.gov/site/doh/covid/covid-19-data.page> (accessed Jan. 18, 2021).

Respectfully submitted,

/s/

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cc: AUSA Jonathan Bodansky and AUSA Andrew Jones